



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Joshua L. Willett et al.)

Serial No.: 09/536,555)

Filing Date: March 28, 2000)

For: BIODEGRADABLE POLYMER)
COMPOSITIONS, METHODS FOR)
MAKING SAME AND ARTICLES)
THEREFROM)

**AFFIDAVIT OF
AMY C. WHARFIELD**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

RECEIVED

JAN 25 2002

**OFFICE OF PETITIONS
DEPUTY A/C PATENTS**

I, Amy C. Wharfield, being duly sworn, depose and say that:

1. I am a secretary for Daniel H. Bliss of Bliss McGlynn, P.C.
2. A patent application was prepared and filed by Express Mail on March 28, 2000 to the United States Patent and Trademark Office for the above-identified application.
3. The United States Patent and Trademark Office mailed to Bliss McGlynn, P.C. on May 30, 2000, a "FILING RECEIPT" and "NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION" filed under 37 C.F.R. 1.53(b), Filing Date Granted, acknowledging the facts recited in Paragraph 1 and stating that the oath or declaration was missing the signature of one of the inventors, William M. Doane and that a surcharge for providing the same must be furnished by July 30, 2000 or with a petition for extension fees until November 30, 2000 to avoid abandonment.

CERTIFICATE OF MAILING: (37 C.F.R. 1.8) I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service with sufficient postage as First Class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on September 26, 2001, by Daniel H. Bliss

4. When I received the Filing Receipt from the PTO in paragraph 2 above, the Notice to File Missing Parts of Nonprovisional Application was stapled to the back of the Filing Receipt and there was no indication that two different papers from the PTO were enclosed.

5. It was not obvious there were two different papers being sent for this patent application, the Filing Receipt and the Notice to File Missing Parts of Nonprovisional Application, and I did not docket the due date of July 30, 2000 to the Notice and both papers were filed in the application file.

6. I did not become aware of the Notice to File Missing Parts of Nonprovisional Application until after, Daniel H. Bliss, received a telephone call on September 7, 2001, from Ms. Linda Hallman of The United States Patent and Trademark Office (703-308-7638) first notifying him that the application was abandoned and I reviewed the file with Mr. Bliss and we determined for the first time that a Notice to File Missing Parts was attached to the back of the Filing Receipt.

Further Affiant sayeth not.

By Amy C. Wharfield
Amy C. Wharfield

State of Michigan)
County of Oakland) s.s.

Sworn to and subscribed before me this 26th day of September, 2001.

Barbara S. Shultz
Notary Public
OAKLAND County
My commission expires: NOV. 15, 2003

SEAL

BARBARA S. SHULTZ
NOTARY PUBLIC OAKLAND CO., MI
MY COMMISSION EXPIRES Nov 15, 2003
ACTING IN OAKLAND COUNTY, MI